

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	13/06/19
Planning Development Manager authorisation:	SCE	13.06.19
Admin checks / despatch completed	XAE	13/06/19

Application: 19/00441/FUL **Town / Parish:** Ardleigh Parish Council

Applicant: Steve Wright (Engineering) Ltd

Address: Old Shields Farm Waterhouse Lane Ardleigh

Development: Erection of a new workshop and partial demolition of the existing disused glasshouses.

1. Town / Parish Council

Ardleigh Parish Council No comment.

2. Consultation Responses

ECC Highways Dept

The information that was submitted in association with the application has been fully considered by the Highway Authority.

The site is located off Waterhouse Lane, the premises will be accessed from the existing access road that serves the Farm The proposal is at the end of a private access and retains adequate room and provision for turning and off street parking, therefore

The Highway Authority does not object to the proposals as submitted.

Informative 1:

Steps should be taken to ensure that the Developer provides sufficient turning and off-loading facilities for delivery and site worker vehicles, within the limits of the site together with an adequate parking area for those employed in developing the site.

Informative 2:

On the completion of the Development, all roads, footways/paths, cycle ways, covers, gratings, fences, barriers, grass verges, trees, and any other street furniture within the Site and in the area it covers and any neighbouring areas affected by it, must be left in a fully functional repaired/renovated state to a standard accepted by the appropriate statutory authority."

Informative 3:

Any work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at:
development.management@essexhighways.org or by post to:

SMO1 ' Essex Highways
Colchester Highways Depot,

653 The Crescent,
Colchester.
CO4 9YQ.

3. Planning History

92/00549/FUL	Extension to offices	Approved	16.06.1992
95/00785/FUL	(Old Shields Farm, Waterhouse Lane, Ardleigh) Proposed additions	Approved	31.07.1995
07/01234/AGRIC	Extension to existing agricultural building to be used as machinery store.	Determination	17.08.2007
09/00315/FUL	Continued occupation of dwellinghouse without complying with agricultural occupancy condition - condition 5 of TEN/556/68.	Approved	16.07.2009
10/00859/FUL	1. Change of use from farm workers accommodation and agricultural storage building to Class B1 commercial purposes. 2. Change of use of former farm buildings for Class B1 and B2 purposes. (retention)	Approved	13.10.2010
17/00228/AGRIC	Erection of agricultural barn for use as hay bales and agricultural equipment storage.	Determination	02.03.2017

4. Relevant Policies / Government Guidance

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

ER7 Business, Industrial and Warehouse Proposals

EN1 Landscape Character

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

PPL3 The Rural Landscape

SPL3 Sustainable Design

Status of the Local Plan

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

5. Officer Appraisal

Site Description

The application site is Old Shields Farm, which is located to the northern section of Waterhouse Lane within the parish of Ardleigh. The site includes a number of outbuildings associated with the overall rural business area, including an agricultural barn recently approved under planning reference 17/00228/AGRIC. The surrounding area is relatively rural in character, with large open grassed areas further out to all sides. The site is not situated within a recognised Settlement Development Boundary in both the Saved Tendring Local Plan 2007 and Emerging 2013-2033 Tendring Local Plan Publication Draft.

Description of Proposal

This application seeks planning permission for the erection of a new workshop measuring 5.3m in height, 23m in width and 18.5m in depth, following the partial demolition of the existing disused glasshouses. The building will be constructed of corrugated sheet metal walls and roof, and roller shutter doors.

Assessment

1. Principle of Development

Paragraph 80 of the National Planning Policy Framework (2019) states planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

The preamble of saved Policy ER7 of the adopted Tendring District Local Plan 2007 explains how the Council wishes to support the growth of existing firms and will grant permission for extensions to established business premises in rural locations providing they have an acceptable impact on visual amenity. Saved Policy ER7 itself states that in rural locations permission may exceptionally be granted for extensions to existing businesses where new employment opportunities would be

generated providing the proposals can be accommodated without an adverse impact on the landscape character of the countryside and satisfactory vehicular access and adequate car parking is provided.

In summary, national and local plan policies support the proposed development for an expansion to the established business in a rural location providing the proposal can be accommodated without an adverse impact on the landscape character of the countryside, without harming the amenity of local residents, and satisfactory vehicular access and adequate car parking is provided, which will be addressed in more detail below.

2. Visual Impact

The adopted Tendring District Local Plan (2007) "Saved" Policies QL9, QL10 and QL11 seek to ensure that all new development makes a positive contribution to the quality of the local environment and character, by ensuring that proposals are well designed, relate satisfactorily to their setting and are of a suitable scale, mass and form. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

The proposed building is of a large size; however the site is comfortably of a suitable size to account for this. Further, the site contains numerous other buildings which are of a similarly large size, and the proposal will therefore be in-keeping with the immediate character. The building will be located to the rear of the site, set away from the street scene, while the proposed use of materials is appropriate in this rural setting. Therefore there is no visual harm identified and the proposal is acceptable against this criterion.

On a previous application (1000859/FUL) at this site a condition was imposed to restrict permitted development rights to enlarge or alter permitted buildings. However on this occasion, given the significant space to the site it would not be reasonable to impose this condition. A condition will however be included to ensure no goods or materials shall be stored outside, in order to protect and preserve the wider rural character of the area.

3. Impact to Neighbouring Properties

Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

Given the site is located within a location containing a number of rural businesses, with the nearest residential properties sited approximately 200m to the south, the proposed works will not significantly impact on any existing amenities and is therefore acceptable. Further, a condition to restrict operating hours will be imposed.

Other Considerations

Ardleigh Parish Council have not commented.

There have been no other letters of representation received.

Conclusion

In the absence of any material harm resulting from the development, the application is recommended for approval.

6. **Recommendation**

Approval.

7. Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans, drawing numbers P 02D, P03, P04, P01A, P05 and the document titled 'Planning Supporting Statement'

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 No goods or materials shall be stored outside of the hereby approved building, unless otherwise agreed in writing with the Local Planning Authority.

Reason - In the interests of visual amenity and preserving the surrounding countryside.

- 4 The hereby permitted building shall only operate between the hours of 07:00 and 18:00 Monday to Friday and between the hours of 07:00 and 13:00 on Saturdays. There shall be no working on Sundays or Public Holidays.

Reason - To enable the Local Planning Authority to retain control over the development in the interests of residential amenity.

8. Informatives

Positive and Proactive Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.